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In re Application of
MADSEN et al.
Serial No.: 09/982,516
Filing Date: 18 October 2001
Attorney Docket No.: 05213-0561WP (43170-250438)
For: METHOD OF PRODUCING AND PURIFYING
ANGIOSTATIN PROTEIN

DECISION ON
PETITION UNDER
37 CFR 1.137(b)

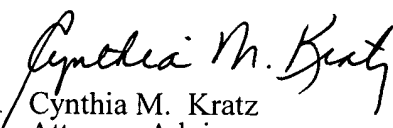
Applicant's petition under 37 CFR 1.137(b) filed 18 October 2001 to revive international application PCT/US00/32843 as to the United States abandoned under 35 U.S.C. 371(d) is hereby **GRANTED** as follows:

International application PCT/US00/32843 became abandoned as to the United States of America after midnight on 03 August 2001 for failure to pay the basic national fee. The filing of the present continuing application under 35 U.S.C. 111(a) is accepted as the appropriate response under 37 CFR 1.137(b). See MPEP § 711.03(c).

All of the requirements of 37 CFR 1.137(b) for revival have been submitted. Applicant's statement that "the entire delay in prosecuting the application from the date of 03 August 2001 until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional" has been interpreted as meaning that "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" as required by 37 CFR 1.137(b)(3) at the time of filing this petition. If this is an incorrect interpretation in view of the rules, petitioner is required to promptly notify this office.

International application PCT/US00/32843 is being revived for purposes of continuity only and since continuity has been established by this decision reviving the international application, the international application is again abandoned in favor of the present continuing application number 09/982,516.

This application is being forwarded to Office of Initial Patent Examination for further examination as an application filed under 35 U.S.C. 111(a), having a filing date of 18 October 2001.


Cynthia M. Kratz
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CMK:cmk

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